

United States Courts
Southern District of Texas
FILED

AO 91 (Rev. 11/11) Criminal Complaint

October 12, 2022

Nathan Ochsner, Clerk of Court

Sealed
Public and unofficial staff access
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prohibited by court order

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America
v.
JCOI BARLEY, MAURKAEL BROWN, TERRELL
DAVIS, JYMONTE MCCLENDON, EMERY
GOODLEY, TERRY ARDOIN, and TRAVONTE
ARDOIN

Case No. **4:22-mj-2398**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 14, 2022 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18 United States Code 1951
Title 21 United States Code 846
Title 18 United States Code 924(c)
Title 18 United States Code 924(c)
(1)(B)(ii)

Conspiracy to Commit Interference with Commerce by Robbery
Conspiracy to Possess with Intent to Distribute
Carrying a Weapon in Relation to a Drug Trafficking Offense
Possession of a Machinegun in the Course of a Drug Trafficking Offense

This criminal complaint is based on these facts:

See attached affidavit.

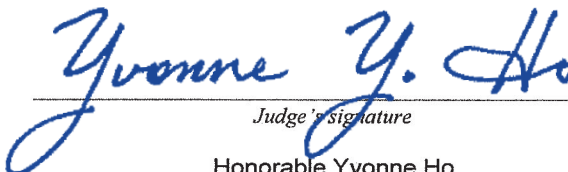
☒ Continued on the attached sheet.


Complainant's signature

Special Agent Christopher Fite, FBI

Printed name and title

Sworn to me telephonically.

Date: 10/12/2022City and state: Houston, TX


Judge's signature

Honorable Yvonne Ho

Printed name and title

Sealed

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4:22-mj-2398

ATTACHMENT A
AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Christopher C. Fite, being duly sworn, depose and state that:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since March 17, 2019. During my time as a Special Agent, I have been assigned to multiple street-level gang units that are tasked with identifying gang members, investigating gang related crimes, and developing sources within gangs to gather intelligence. This work led to numerous arrests of gang members, thwarting their criminal enterprises. In August of 2019, I was assigned to the Safe Streets Task Force in the FBI Chicago Division. In September of 2020, I was transferred to the FBI Houston Division. This remains my current assignment. My duties at the Chicago field office were the same as my current assignment in Houston, which is to investigate gang related crimes, including but not limited to, narcotics trafficking, murder, assault, weapons possession, interstate transportation of stolen goods, organized crime, identity theft, human trafficking, and the laundering of monetary instruments associated with these crimes. During my tenure as a Special Agent with the FBI, I have participated in multiple narcotics and gang investigations and have conducted physical and electronic surveillance, executed multiple narcotics and gang related search warrants and arrested numerous narcotic traffickers and gang members. I have also participated in narcotic and gang investigations which utilized court-ordered interceptions of wire communications and have analyzed telephone records to effectively identify subjects and gather evidence. Furthermore, I have participated in the debriefing of defendants, informants, and witnesses who had personal knowledge regarding

major narcotic trafficking organizations and gang organizations. I am familiar with narcotic traffickers' and gangs' methods of operation, including the manufacture, storage, transportation, and distribution of narcotics, the collection of money that represents the proceeds of narcotic trafficking, and money laundering.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. Based on the facts as set forth in this affidavit, there is probable cause to believe that on or about August 14, 2022, Jcoi BARLEY (hereafter "**BARLEY**"), Terrell DAVIS (hereafter "**DAVIS**"), Jymonte MCLENDON (hereafter "**MCLENDON**"), Maurkael BROWN (hereafter "**BROWN**"), Terry ARDOIN (hereafter "**TERRY**"), Travonte ARDOIN (hereafter "**TRAVONTE**"), and Emery GOODLEY (hereafter "**GOODLEY**") committed Conspiracy to Commit Interference with Commerce by Robbery, in violation of Title 18 United States Code 1951; Conspiracy to Possess with Intent to Distribute, in violation of Title 21 United States Code 846; and Carrying a Weapon in Relation to a Drug Trafficking Offense, in violation of Title 18 United States Code 924(c). Additionally, there is probable cause that **Maurkael BROWN** and **Terrell DAVIS** committed 924(c)(1)(B)(ii) Possession of a Machinegun in Relation to a Drug Trafficking Offense.

PROBABLE CAUSE

4. On July 15, 2022, United States District Judge Keith P. Ellison, from the Southern

District of Texas, authorized the wire intercept of communications for Jcoi **BARLEY**'s mobile device bearing number 713-320-1589 (TARGET TELEPHONE 5). During the period of intercept, law enforcement learned about the organization and practices of the Freemoney Gang, a street gang in the Southeast side of Houston of which **BARLEY** is a member and leader. **BARLEY** and his associates of the gang had committed a number of violent acts leading up to August 14, 2022.

5. On August 14, 2022, at approximately 12:00 pm, **BROWN** posted on his Instagram page, username "freemoney_kael" the following: "Mandatory !! 5pm FREEMONEY MEETING DM US FOR THE ADDY. If YOU "NOT THERE" U "NOT" FREEMONEY. If You On The Clock Tap In With Somebody." Your Affiant knows, based on training and experience, that it is common for violent gang members to use social media to promote meetings and that violent gang members often meet up prior to committing criminal activity together. Law enforcement responded to this post with surveillance at 8100 Leonora, a hub for gang activity.

6. On August 14, 2022, at approximately 3:45pm FBI Special Agent (SA) Christopher Fite (your Affiant), FBI SA Paul Kindred, FBI Task Force Officer (TFO) Adam Bock, HPD Sgt Justin Kennedy, HPD Officer Aaron Petty, HPD Officer Kevin Bowen, and Texas Department of Public Safety (DPS) SA John Bradford (hereafter collectively "SURVEILLANCE TEAM") initiated physical surveillance in the vicinity of **BROWN**'s apartment located at 8100 Leonora St., Houston, Texas (hereafter "8100 LEONORA"). Additionally, DPS rotary wing aircraft (hereafter "DPS AIR") and FBI fixed wing aircraft (hereafter "FBI AIR") conducted surveillance. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) SA Thomas Doyle provided support from FBI

Houston Headquarters during the live monitoring of TARGET TELEPHONE 5. Additionally, an HPD pole camera in the vicinity of 8100 LEONORA was monitored by SURVEILLANCE TEAM.

7. On August 14, 2022, at approximately 5:37pm, **BARLEY**, using TARGET TELEPHONE 5, called **BROWN**. During the phone call, **BARLEY** asked **BROWN** if everyone was over there and situated. **BROWN** confirmed and **BARLEY** stated that **BARLEY** and “tuttie” (known by law enforcement to be **MCCLENDON**) were on the way. **BROWN** asked **BARLEY** where “Jericho” (known by law enforcement to be **TERRY**) was and **BARLEY** said that **BARLEY** would call **TERRY**.

8. On August 14, 2022, at approximately 5:40pm, **DAVIS** posted on his Instagram page, username “freemoneyrelld_” the following: “Y’all better push up rn dm for that addy It’s mandatory OnlyTheFree.” Your Affiant knows, based on training and experience, that it is common for violent gang members to use social media to promote meetings and that violent gang members often meet up prior to committing criminal activity together.

9. On August 14, 2022, at approximately 6:04pm, **BARLEY**, using TARGET TELEPHONE 5, received a phone call from **TERRY**, who was identified by consistent tone, cadence, and pronunciation. During the call, **TERRY** told **BARLEY** that they needed three more people and that “bro: had told **TERRY** that there were 3 or 4 people in there. **TERRY** said that “bro” told **TERRY** that there were 3 “automatics” and over 10 “P’s” as well as money upstairs. **BARLEY** said that **BARLEY** was headed to the meeting and that people at the meeting were already asking if they could get it on it but **BARLEY** told them it was “bro’s play.” **TERRY** said

that **TERRY** needed people that could “hit licks, kill and do everything they needed to do.” **TERRY** said that **TERRY** had seen the location and had followed cars to the freeway but there was another person at the location. **BARLEY** said that the person inside was “ratchetman,” and **BARLEY** described “ratchetman” as a Purple Heart gang member. **BARLEY** told **TERRY** that “ratchetman” would probably fight back and **BARLEY** asked **MCCLENDON** what **MCCLENDON** thought about it. **MCCLENDON** could be heard in the background of the call agreeing with **BARLEY**. **ARDOIN** said that “they” would head over there right now, and **TERRY** said **TERRY** already had the plan mapped out. Your Affiant knows, based on training and experience, that “automatics” in this context usually refers to automatic weapons, to include firearms and firearms with automatic switches. Additionally, your Affiant knows that “over 10 P’s” is common street slang for “over 10 pounds” of narcotics. When **BARLEY** said it was “bro’s play,” your Affiant knows that this is a common way of gang members describing someone else as having a target planned for an armed robbery or drive-by shooting. Your Affiant also knows that the conversation described above is a common type of conversation had by gang members that are actively conspiring to commit a violent robbery of a specific location. Based on this telephone conversation, it was clear to law enforcement and your Affiant that the lick had already been discussed with those attending the meeting at 8100 Leonora and those in attendance were ready and willing to participate.

10. “Ratchetman” was known by law enforcement as Corey SHEPHARD (since deceased on August 31, 2022). SHEPHARD was a member of “purple heart gang,” a known rival gang of FREE MONEY. Your Affiant spoke with HPD Officer’s Aaron Petty and Kevin Bowen,

who had conducted surveillance and believed SHEPHARD was living with Xavier FASION at 922 T.C. Jester Blvd, Houston, Texas at that time. FAISON was known to sell large quantities of marijuana and frequently advertised his marijuana on open-source Instagram page, username "damnsacc.". On August 14, 2022, SHEPHARD posted on Instagram and the image was recognized by investigators as taking place at 922 T.C. Jester Blvd, Houston, Texas. This knowledge was based on open-source images located of the residence located at 922 T.C. Jester Blvd, Houston, Texas, and compared to the image posted on August 14, 2022 on Instagram by SHEPHARD. On August 14, 2022, at approximately 4:52pm, federally authorized GPS data from **TERRY**'s mobile device showed that **TERRY** was in the area of 922 T.C. Jester Blvd, Houston, Texas. Your Affiant knows, based on training and experience, that it is common for violent gangs to "case" locations prior to committing a home invasion or robbery. Your Affiant believes that when **TERRY**'s mobile device was in the area of 922 T.C. Jester Blvd., Houston, Texas, that **TERRY** was looking at the location as a possible target for a robbery.

11. On August 14, 2022, at approximately 6:35pm, **BARLEY** and **MCCLENDON** were seen by SURVEILLANCE TEAM being dropped off at 8100 LEONORA in a black Chevrolet Cruze with license plate number PMB0616 (hereafter "CHEVROLET CRUZE"). On the same date, at approximately 6:38pm, **TERRY** arrived at 8100 LEONORA as the solo occupant of a white Toyota Camry with a temporary license plate number of 0794F47 (hereafter "TOYOTA CAMRY"). After **TERRY** entered 8100 LEONORA, **TRAVONTE** and **GOODLEY** arrived at 8100 LEONORA in a red Hyundai Elantra (hereafter "HYUNDAI ELANTRA") with license plate number LBH9518. **TRAVONTE** and **GOODLEY** were seen entering 8100 LEONORA.

12. On August 14, 2022, at approximately 8:06pm, **TERRY**, **BARLEY**, and **BROWN** exited the apartment at 8100 LEONORA and entered into **TERRY's** TOYOTA CAMRY with **TERRY** driving. TOYOTA CAMRY left the vicinity of 8100 LEONORA and SURVEILLANCE TEAM followed the vehicle. The TOYOTA CAMRY was followed to 922 T.C. Jester Blvd., Houston, Texas, where the TOYOTA CAMRY passed by the residence several times before returning back to 8100 LEONORA. SURVEILLANCE TEAM stayed with the TOYOTA CAMRY the entire time. The TOYOTA CAMRY arrived back at 8100 LEONORA at approximately 9:01pm.

13. On August 14, 2022, at approximately 9:20pm, **BARLEY**, using TARGET TELEPHONE 5, called **BROWN**, using telephone number 346-350-2940. During this call, **BARLEY** asked **BROWN** if they were all good. **BROWN** confirmed and say that they were “trying to put it together real quick.” Your Affiant believes, based on training, experience, and the prior events described above, that **BROWN** was finalizing plans to commit a robbery at 922 T.C. Jester Blvd., Houston, Texas.

14. On August 14, 2022, at approximately 10:24pm, Walter TOLBERT (hereafter “TOLBERT”), Shakeil ANDERSON (hereafter “SHAKEIL”), Deandre THOMPSON (hereafter “THOMPSON”), and an unknown male (hereafter “UM1”) exited 8100 LEONORA and walked north, out of view of the HPD pole camera.

15. On August 14, 2022, at approximately 10:27pm, **TRAVONTE**, **MCCLENDON**, and **GOODLEY** walked out of 8100 LEONORA and stood together near the parked vehicles in front of 8100 LEONORA. **TRAVONTE** was seen putting on black gloves and then **TERRY** was

seen handing **TRAVONTE** a black pistol with an extended magazine. **TRAVONTE** was seen putting the black pistol in his pocket. **GOODLEY** was also seen putting on black gloves and was wearing a black ski mask on the top of his head. **TRAVONTE**, **MCCLENDON**, and **GOODLEY** then walked south, out of view of the HPD pole camera.

16. On August 14, 2022, at approximately 10:31pm, Jakobe ANDERSON (hereafter “**JAKOBE**”), Chase FRANKLIN-WILLIAMS (hereafter “**FRANKLIN-WILLIAMS**”), and **DAVIS** were seen walking out of the apartment at 8100 LEONORA and walking north, out of view of the HPD pole camera.

17. On August 14, 2022, at approximately 10:35pm, SURVEILLANCE TEAM followed four vehicles from the vicinity of 8100 LEONORA and followed the four vehicles as they drove in the direction of 922 T.C. Jester Blvd, Houston, Texas. SURVEILLANCE TEAM identified the following five vehicles and occupants, in order of movement from 8100 LEONORA:

- Red Nissan Altima, Texas license plate RRF6524. **THOMPSON** was the driver, **SHAKEIL** was the front passenger, and **TOLBERT** was the rear passenger.
- Red Hyundai Elantra, Texas license plate LBH9518. **MCCLENDON** was the driver, **GOODLEY** was front passenger, and **TRAVONTE** was rear passenger.
- Black Chevrolet Equinox, Texas license plate PXJ5832. **BROWN** was the driver, **DAVIS** was the front passenger, **JAKOBE** was the rear right side passenger, and **FRANKLIN-WILLIAMS** was the rear left side passenger.
- White Toyota Camry, temporary license plate 0794F47. **TERRY** was the driver and sole

occupant.

- Red Dodge Dart, Texas license plate MDZ3130. Unknown occupants.

SURVEILLANCE TEAM followed the Hyundai Elantra, Chevrolet Equinox, Toyota Camry, and Dodge Dart (hereinafter collectively referred to as "VEHICLE GROUP") toward the direction of 922 T.C. Jester Blvd., Houston, Texas. The Nissan Altima left 8100 LEONORA a few minutes before the VEHICLE GROUP and was not followed by SURVEILLANCE TEAM. FBI AIR and DPS AIR, along with SURVEILLANCE TEAM also followed the VEHICLE GROUP. During the transit, the red Dodge Dart described above was seen separating from the group and began driving erratically. The red Dodge Dart was followed by DPS SA Bradford, who believed the vehicle was driving in a manner consistent with gang members looking to lose law enforcement surveillance units. The remaining three vehicles in the VEHICLE GROUP described above continued toward 922 T.C. Jester Blvd, Houston, Texas. When the three vehicles exited the freeway at the T.C. Jester exit, HPD Crime Reduction Unit (CRU) and SURVEILLANCE TEAM initiated traffic stops of the red Hyundai Elantra and the black Chevrolet Equinox. Both the red Hyundai Elantra and black Chevrolet Equinox failed to stop for HPD CRU units, which pursued both vehicles.

18. I reviewed Houston Police Department (HPD) Report No. 1089382-22, authored by HPD Officer S.J. Ticas, a certified peace officer reputedly employed by HPD. Officer Ticas documented that on the night of August 14, 2022, he was notified by TFO Bock, that three vehicles were traveling westbound on the Katy Freeway. The three vehicles took the T.C. Jester exit and travelled northbound on T.C. Jester. TFO Bock provided Officer Ticas with the license plate of one of the vehicles as being PXJ5832, which was the black Chevrolet Equinox described

above. The vehicle was reported stolen with HPD. Officer Ticas activated his emergency equipment to conduct a traffic stop on the stolen Chevrolet Equinox at the 2200 block of T.C. Jester Blvd. Behind Officer Ticas were Officer Curtis, HPD unit 2441, and Officer Price, HPD unit 2427. The vehicle refused to stop and traveled northbound at the 2200 block of T.C. Jester. The vehicle then turned westbound on Darling Street, continued to evade, ran several stop signs, and turned southbound at Arabelle Street. The vehicle lost control and crashed at the intersection of Arabelle Street and Darling Street in Harris County, Texas. When the vehicle crashed, all individuals exited from the passenger side doors. Officer Ticas observed several people exit the vehicle and run on foot. Officer Ticas ran after two individuals that ran south on Arabelle Street and observed both of them jumping a fence at a house located at 2209 B Arabelle Street. Both individuals had red clothing on, one of which was wearing red pants and the other was wearing a red hooded sweatshirt. Officer Ticas observed one of the individuals and recognized him to be **DAVIS**, hiding in the backyard of 2209 B Arabelle St. **DAVIS** then responded to verbal commands from Officer Ticas and was taken into custody. **DAVIS** had a magazine of ammunition with an unknown number of unfired bullets on his person and a pair of gloves and a ski mask located underneath him. Subject **JAKOBE** was found under the house at 2209 A Arabelle Street and was taken into custody. Subject 3 was determined to be **FRANKLIN-WILLIAMS** and initially ran northbound on Arabelle Street after the Chevrolet Equinox crashed. **FRANKLIN-WILLIAMS** was taken into custody by Officer Price and Officer Curtis, as described below in paragraph 20.

19. Your Affiant also reviewed a supplemental report written by HPD Officer Taylor

Peacock, as part of HPD report number 1089382-22. Officer Peacock, Officer Tellez, and Officer Salazar helped to establish a perimeter in the vicinity of the accident of the Chevrolet Equinox described in paragraph 18. Officer Peacock heard on his HPD radio that a red Nissan Altima was circling the perimeter and appeared to be looking for a way around the perimeter. Officer's Peacock, Tellez, and Salazar approached the vehicle and saw that it was occupied by three black males. The driver was identified as THOMPSON, the front passenger was SHAKEIL, and the back passenger was TOLBERT. Officer Peacock noted that SHAKEIL was a documented gang member in the Free Money street gang.

20. Your Affiant also reviewed a supplemental report written by HPD Officer Price, as part of HPD report number 1089382-22. Officer Price documented that on August 14, 2022, he activated his emergency equipment in an attempt to conduct a traffic stop on the stolen Chevrolet Equinox with license plate PXJ5832. After the vehicle crash described in paragraph 18, Officer Price pursued on foot a black male subject wearing a gray hooded sweatshirt. While in pursuit, Officer Price lost visual of the subject. While searching the area, Officer Price observed the subject hiding in a nearby brush line. Officer Price gave verbal commands and the subject complied. The subject was identified as FRANKLIN-WILLIAMS and was taken into custody. When the scene was secure, Officer Price searched the area for evidence or weapons. Officer Price observed two firearms laying on the ground near the front passenger side door of the black Chevrolet Equinox. Officer Price recovered one black Glock 19 with a prohibited fully automatic switch attached to the rear of the weapon. The serial number of the firearm was BMFY903. The second firearm was recovered near the rear right passenger door and was identified as a black Glock 19 with a

prohibited fully automatic switch attached to the rear of the weapon. The serial number of that firearm was ZUS392. Officer Price cleared both weapons for safety and observed a round chambered in each of the two recovered weapons.

21. I reviewed HPD Report No. 1089401-22, authored by HPD Officer M.A. Salazar, a certified peace officer reputedly employed by HPD. Officer Salazar documented that he and HPD Sergeant Garza initiated a traffic stop at approximately 11:00pm on August 14, 2022. The traffic stop was initiated at the 5300 block of Larkin St., Houston, Texas on a 2003 red Hyundai Elantra with Texas license plate LBH9518, for failure to use a turn signal and expired registration. Upon initiating the traffic stop, the vehicle did not stop and evaded. The vehicle traveled eastbound on Larkin St and then northbound on North Sheppard. The vehicle ran multiple stop signs and around the 500 block of North Sheppard, Officer Salazar observed an arm stretch out a window of the red Hyundai Elantra back right passenger seat and toss a handgun. Officers later recovered that handgun. The vehicle continued to flee and collided with another vehicle at the intersection of North Sheppard and W 19th Street. Both vehicles became disabled at that time. The driver of the Hyundai Elantra was identified as **MCCLENDON**, the front right passenger was **GOOLEY**, and the back right passenger was **TRAVONTE**. **GOODLEY** was in possession of a Mac-10 firearm. Specifically, the firearm was on the floordobard of the front right passenger within arms reach of where **GOODLEY** was seated. The firearm was in plain view. **TRAVONTE** was seated as the back right passenger, where Officer Salazar previously saw a handgun tossed from. **MCCLENDON**, **GOODLEY**, and **TRAVONTE** were all taken into custody.

22. Your Affiant also reviewed a supplemental report written by HPD Officer P.D. Moreno, as part of HPD report number 1089401-22. Officer Moreno documented that he and Officer W. Solis went to the location of the tossed handgun seen by Officer Salazar and described above in paragraph 21. Officer Moreno and Officer Solis first pursued the red Hyundai Elantra with Officer Salazar, as described in paragraph 21. When Officer's Moreno and Solid returned to the area where the handgun was tossed out the window, they observed a handgun in the street. That handgun was recovered by HPD Sergeant Justin Kennedy.

23. Based on the information detailed above, I believe probable cause exists for the issuance of a Criminal Complaint charging **Jcoi BARLEY, Maurkael BROWN, Emery GOODLEY, Terry ARDOIN, Travonte ARDOIN, Terrell DAVIS, and Jymonte MCCLENDON** with Conspiracy to Commit Interference with Commerce by Robbery, in violation of Title 18 United States Code 1951; Conspiracy to Possess with Intent to Distribute, in violation of Title 21 United States Code 846; and Carrying a Weapon in Relation to a Drug Trafficking Offense, in violation of Title 18 United States Code 924(c); Additionally, I believe probable cause exists for charging **Maurkael BROWN and Terrell DAVIS** with 924(c)(1)(B)(ii) Possession of a Machinegun in Relation to a Drug Trafficking Offense.



Christopher C. Fite
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed telephonically on this 12th day of October 2022, and I
find probable cause.



YVONNE HO
United States Magistrate Judge